

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
TACOMA DIVISION

GENEVA L. CROSE,

Civil No. 3:18-CV-05723-BAT

Plaintiff,

VS.

## ORDER

## COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Based on the stipulation of the parties (Dkt. 9), it is **ORDERED** that the  
Commissioner's decision in regard to Plaintiff's application for supplemental security income  
Title XVI of the Social Security Act is **REVERSED and REMANDED** to the  
Commissioner of Social Security. On remand, the Appeals Council shall vacate the  
administrative law judge's August 2017 decision as moot. The Ninth Circuit recently remanded  
Plaintiff's earlier claim for a finding of disability. *Crose v. Comm'r of Soc. Sec.*, No. 16-35849,  
d. Appx. 333 (9th Cir. Jun. 20, 2018). Plaintiff is currently in pay status on her claim and  
has already been paid benefits for the period at issue in this appeal. Thus, no further fact-finding  
is required regarding the relevant period. Plaintiff is entitled to reasonable attorney fees and  
expenses pursuant to 28 U.S.C. § 2412, upon proper request to this Court.

DATED this 29th day of January, 2019.

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BRIAN A. TSUCHIDA  
Chief United States Magistrate Judge